

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION**

**UNITED STATES OF AMERICA,**

**v.**

**JARVIS JAMAL BENTON,**

**Defendant.**

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**CASE NO:**

**7:24-cr-25—WLS-ALS**

**ORDER**

The April 10, 2025 sentencing hearing in this matter was suspended due to an amendment in the Final Presentence Investigation Report (Doc. 33) (“Final PSR”) changing the basis for assessing a 4-level enhancement for use of a firearm in connection with another felony offense. The enhancement was originally imposed based on Defendant’s alleged possession of a firearm in connection with the possession of a controlled substance. (Doc. 31 ¶ 21). The Final PSR applied the enhancement based on Defendant’s alleged possession of a firearm in connection with the felony offense of Aggravated Assault. (Doc. 33 ¶ 21). The Final PSR was filed April 3, 2025, which provided Defendant with seven days’ notice of the new basis for the enhancement rather than thirty-five days’ notice required by Federal Rule of Criminal Procedure 32(e)(2).

The Court suspended the sentencing hearing to provide Defendant and his counsel time to consider the changes to the Final PSR and to timely file such objections as counsel deems appropriate to the Final PSR including arguments, if any, as to why suspending the sentencing hearing does not cure any notice defect as to the Final PSR. Counsel for the parties were to notify the Courtroom Deputy when they were ready to recommence the suspended sentencing hearing. To date, the Defendant has not filed an objection or other response to the Final PSR. Nor has the Courtroom Deputy been apprised that the parties are ready to recommence the sentencing hearing.

Accordingly, it is hereby **ORDERED** that on or before **Friday, May 23, 2025**, Defendant may file such objection or documents as counsel deems appropriate. The

Government may respond within seven (7) days of the date such documents, if any, are filed. Thereafter, the date for the sentencing hearing to recommence will be set by separate Order.

**SO ORDERED**, this 15th day of May 2025.

/s/ W. Louis Sands

**W. LOUIS SANDS, SR. JUDGE  
UNITED STATES DISTRICT COURT**